

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 00-1443

Milton Kenneth Williams,

Appellant,

v.

Larry Norris, Director, Arkansas
Department of Correction,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: October 4, 2000
Filed: October 12, 2000

Before BEAM, FAGG, and LOKEN, Circuit Judges.

PER CURIAM.

Milton Kenneth Williams appeals the district court's¹ order denying his "Motion for Stay as a Matter of Law with Alternative Demand for a Jury Trial" and "Amended Application for Writ of Habeas Corpus . . . and Amended Motion to Reinstate and Strike." Williams's motions were not timely under Federal Rule of Civil Procedure

¹The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerry W. Cavaneau, United States Magistrate Judge for the Eastern District of Arkansas.

59(e), nor did they set forth any of the enumerated grounds for relief under Federal Rule of Civil Procedure 60(b)(1)-(6). Even if his motions could be construed as Rule 60(b) motions, we conclude the district court did not abuse its discretion in denying them. See Watkins v. Lundell, 169 F.3d 540, 545 (8th Cir.), cert. denied, 120 S. Ct. 324 (1999); Sanders v. Clemco Indus., 862 F.2d 161, 169 (8th Cir. 1988) (standard of review). Finally, we note that Williams has timely appealed only the denial of these motions. See Sanders, 862 F.2d at 169 (“appeal from the denial of a motion made under Rule 60(b) does not raise the underlying judgment for review”).

Accordingly, we affirm. See 8th Cir. R. 47A(a).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.